

**PROCEEDINGS OF A SPECIAL MEETING OF THE COMMON COUNCIL OF
THE CITY OF RICHMOND, INDIANA,
MONDAY, FEBRUARY 5, 2007**

The Common Council of the City of Richmond, Indiana met in Special session Monday, February 5, 2007, in the Council Chambers in said City. President Pappin presided and the following business was conducted:

ROLL CALL

Councilors present were Howard "Jack" Elstro, Etta Lundy, Bruce Wissel, Karl Sharp, Bing Welch, Larry Parker, Al Glover, Gil Klose and Diana Pappin.

NEW BUSINESS:

ORDINANCE NO. 11-2007 - ORDINANCE AUTHORIZING THE CITY OF RICHMOND, INDIANA TO ISSUE ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS OF 2007 (JOHNS MANVILLE PROJECT)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

The Richmond Economic Development Commission has rendered its Project Report for the Johns Manville Project regarding the financing of proposed economic development facilities for Johns Manville and the Report will be submitted to the Richmond Plan Commission. The Richmond EDC conducted a public hearing on February 5, 2007 and a project Report on said date which Resolution and Project Report were transmitted, finding that the financing of certain economic development facilities to be constructed by Johns Manville complies with the purposes and provisions of IC 36-7-11.9 and -12. The Richmond EDC approved and recommended the adoption of this form of Ordinance by this Common Council, has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement; the Note; the Bond Purchase Agreement and the Trust Indenture.

Ordinance No. 11-2007 would authorize the City of Richmond to issue its Taxable Economic Development Revenue Bonds of 2007 (Johns Manville Project) pursuant to a Trust Indenture between the City and a financial institution to be chosen by the City to act as trustee for the Bonds. The proceeds of the Bonds would be loaned to Johns Manville, Inc. for the financing of: (1) expansion of manufacturing buildings; (2) site improvements; (3) acquisition of equipment; and (4) the rebuilding and expansion of two manufacturing lines, together with necessary appurtenances, related improvements and equipment in, serving or benefiting the Area, capitalized interest, a debt service reserve and costs of issuance pursuant to a Loan Agreement, dated as of February 1, 2007 between Johns Manville and the City. If adopted, this Ordinance would further find, determine, ratify and confirm that the promotion of diversification of economic development and increase investment (approximately \$2,900,000 in real property and \$37,200,000 in depreciable personal property) in the City, is desirable to preserve the health, safety and general welfare of the citizens of the City; and that it is in the public interest that the Commission and the Issuer take such action as they lawfully may to encourage economic development, diversification of industry and increased investment in the City.

This Ordinance would help offset loan repayments of the Borrower and to finance the Project. The Commission has determined that it is in the best interest of the City and its residents to pledge the property tax proceeds from the assessed valuation of real and depreciable personal property in the Area in excess of the assessed valuation.

Councilor Wissel moved to advance Ordinance No. 11-2007 to second reading and to suspend the rules and read by title only with a second by Councilor Sharp. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 11-2007 on second reading by title only.

Council President Pappin declared Ordinance No. 11-2007 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Elstro moved for engrossment of Ordinance No. 11-2007 with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

Councilor Welch moved to advance Ordinance No. 11-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Parker. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No11-2007 on third reading by title only.

Ordinance No. 11-2007 was adopted with a 9-0 roll call vote.

RESOLUTION NO. 1-2007 – REGARDING THE ESTABLISHMENT OF THE JOHNS MANVILLE ECONOMIC DEVELOPMENT AREA

The Clerk read Resolution No. 1-2007 by title only.

This Resolution would approve the creation of the Johns Manville Economic Development Area as an economic development area under IC 36-7-14 and confirm Resolution No. 1-2007 – the Declaratory Resolution of the Richmond Redevelopment Commission.

Councilor Elstro moved to adopt Resolution No. 1-2007 with a second by Councilor Sharp. Upon a vote *viva voce*, the motion passed.

CALL FOR ADJOURNMENT

There being no further business, the meeting was adjourned.

S/S Diana Pappin
Diana Pappin, President

ATTEST: S/S Karen Chasteen
Karen Chasteen, City Clerk